

Whistle Blowing Policy in Nigeria: Concerns for Organization Ethical Values

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ABSTRACT

The high-profile media attention which whistle blowing has attracted in Nigeria in recent time underscores its relevance in organizations. However, employers seem to face a delicate situation arising from balancing the act with the potentials for whistle blowing in their organizations vis-a-vis the ethical values of the organizations. The article explored the whistle blowing practice within the confine of organizational ethical values. This is with a view to determining whether organizational ethical policy accommodates and provides necessary framework for whistle blowing. The paper discussed antecedents and purpose of whistle blowing, its practice in corporate and public organizations. Search light was also beamed on the character of whistle blowers and possible protective legal frameworks put in place for them. The article explored the possibility of synergy between whistle blowing practice and organizational ethical practice as well as implications for organisations. Deductions were made based on identified congruence of whistle blowing and organization ethical values. The paper thus concludes that employees in organizations with strict adherence to core ethical values are more inclined to whistle blow. Thus, organizations may do well if actively encourage whistle-blowing claims on unsanctioned and illegitimate practices by reaffirming commitment to ethical practices. Premised on the findings of this article, the study recommended that organizations should encourage strict adherence to core ethical values when adopting whistle blowing practice to prevent unjustified claims and unfair treatment.

Keywords: Whistle blowing policy, Organisation, Management practice, Employees protection, ethical value, Nigeria

1. INTRODUCTION

Business has created increasingly diverse work force within countries' post globalization and internationalization, and therefore there has been constantly an enduring challenge for organisations in the current regime to encourage behaviours that serve to attain organisational goals (Korsgaard, Meglino, Lester, & Jeong, 2010), Chiaburu and Byrne , 2009). Therefore the smooth working condition in organizations where unethical behaviours take place relies on the level of harmonization between individual and organizational values. Meanwhile, ethical customs has propensity to become an effective tool for

establishment of ethical culture in the organizations. The usage of clear code of conduct, proper ethics training, open communication and colleague's influence can definitely strengthen employee behaviour to report unethical practice, like the intention to whistle blow.

Whistle-blowing practice becomes more popular in recent time as a result high rate compromising in accountability among high-profile corporate executives and inordinate sharp practices among government officers. The decision to denounce incorrect behaviours involves encouraging ethical values in an organization. Developing a system of ethical values within an organization depends not only on the framework provided by the law, but also by creating a participatory framework in order to eliminate waste, or other forms of fraud. Whistle blowing which can be translated into "giving signals" means that employees can be a part of the internal structures of companies with duties of discovering unethical practices. Whistleblowing is the disclosure of information that is believed to have traces gross misconduct such as fraud, misappropriation of funds, misuse of power and all forms of illegality which are counter-productive to organizations' development. Mechanisms for reporting misbehaviour vary from directly reporting the incident to one's immediate supervisor, to human resources, to an ombudsman, to an external hotline, or to applicable government regulatory agencies, depending on the type of behaviour.

Organization's ethical values vary and could be described based on the esteem values and principles govern the conduct of business in a given industry. In actual practice, it is a set of guiding principles that encourage individuals in an organization to make decisions based on the organization's culture being practiced toward business activities within its industry. Organization that gives premium to ethical values as a corporate culture often motivates workers to perform their tasks as expected with sense of responsibility. The most common ethical values found in corporate literature include: integrity, fairness, honesty, trustworthiness, and respect openness. They are commonly expressed through an ethics policy and code of ethics. Without mincing words, empirical studies about the concept of whistle blowing behaviour are still scanty in Nigeria. Every business and every public body risks inadequate systems or corruption leading to dangerous or criminal behaviour. Where such risks arise, usually the first people to suspect will be those who work in, or with, the organization. The major trust of this article is to consider how organization ethical values can midwife the commitment of employees to their respective organizations that could influence the whistle blowing behaviour or intentions.

2. ETHICAL VALUES

Ethics is about behaviour that is tailored towards a prescribed and generally accepted mode of *operandi* that is bidding on conduct of businesses at a given period of time. The ethical context of a firm is made up of its institutionalized philosophies, the moral ideologies of its members, and its code of ethics (Werhane & Freeman, 1999). Corporate ethical values are integral to sustainable business growth (Barney, 1986). Corporate values has been a major trust of corporate culture which determines the basis of the organization's ability to adapt to external environment and for the sake of its internal integration. Considering a proposed reformulation of corporate culture. Robin and Reidenbach (1987) argued that the key to success of any corporate culture is the selection and implementation of an organizational profile identified by core values, which eventually becomes a core value of the organizational mission. Jansen and Von Glinow (1985) also posit that corporate ethical values are not just the underpinning of all other values relating to product and service quality, advertising content, selection of distribution channels, and treatment of customers, but also help establish and maintain the standards that describe the 'right' thing to do and the things 'worth doing'.

3. WHISTLE BLOWING

The term whistle blowing according Miceli & Near, 1992, has basically two roots in two different but related activities: first, the term follows from the practice of police or bobbies who blew their whistles when attempting to apprehend a suspected criminal. Secondly, it is thought to follow from the practice of game umpires at the rings or courts who use whistle to dictate the course of activities for contenders or players. The basic assumption in both cases is that the whistleblowers perceive something they confirmed to be unethical or illegal and reports it to authorities so that corrective measures may be taken (Hoffman & McNutty, 2010). Ogunkeye (2016) captured it as the disclosure by a person, usually an employee in a government agency or private enterprise to the public or those in authority, of mismanagement, corruption, illegality or some other wrongdoing. Whistle blowing (or whistle-blowing) occurs when a member of an organization reports practices, under control of the organization, that are perceived to be illegal, immoral, or in some way illegitimate.

'Whistle blowing' literally means blowing the whistle or make a noise to alert others for the misconduct going on in any organization. In the context of business ethics, whistle blowing means that one person alerts the organization that some fraud or scam is going on which is harming both the organization and stakeholders. However, the practice of whistle blowing as we know it

today is a rather different and new phenomenon in Nigeria, although organizations like Ecobank Nigeria Limited, First bank Nigeria Limited and Stanbic IBTC bank have the policy in place. The common key characteristics in whistle blowing include: (i) public interest dimension (ii) disclosure of wrong doing connected to workplace (iii) reporting of wrongdoings through designated channels or persons.

Whistle blower

The origin of the term whistle blower is traced to the practice of officers in London's first police force, who were equipped with whistles to be blown when they saw a crime being committed, in order to alert and seek the assistance of other law-enforcement officers and the general public. According to Gillan (2003), whistle-blowers are persons (usually workers) who at their own risk, having been "motivated by a sense of personal, and/or public duty, may expose what they perceive as specific instances of wrong doing, which may be within the private and/or public sector". A whistleblower is a character or player in organization who draws public attention person or dutifully inform the management and higher authority about acts of compromising ethical values, undermining standard principles and illegal activities in a private or public organizations.

A whistle blower is an employee or a worker who disclose various act of misconducts and that have taken place in an organization or among a body of people. Usually this person would be from the same organization. A whistleblower is the one who blows the whistle on corruption, crime and other unethical misconduct. It can also be defined as the one who acts to prevent harms to others, not to him or herself or possess the evidence which would compel any reasonable person. Due to liberalization, modernization and globalization, the frauds and scams of many numbers and types are increasing day by day which are needed to be exposed in public by an honest whistleblower. This new group is characterized by employees who do not act solely out of self-interest but concentrate on the exposure of policies that have the potential to hurt the public (Grazer & Grazer, 1989).

Protection for whistle blowers

Although the ethical issues in whistle blowing may be difficult to interrogate and continues to inspire rigorous debate among pundits, the truth is that regardless of whether the whistle blower is motivated by altruistic or selfish concerns, the act is not without risks. Taiwo (2015), posits that whistle blowers are vulnerable not only to organizational reprisal but also to chastisement at the hands of other organizational members who may react and most likely show retaliation against the whistle blower. Whistle blowers suffer in various ways including harassment, ostracize, death treat and other forms of subtle punishments but when organizations foster a culture and legislation and demonstrates that it is safe to raise a genuine concern about wrong doing, employees will have confidence in exposing any wrongdoing, otherwise most employees will stay silent where there is a threat even a grave one, this silence can mean that those in charge of the organization place their trust on the people who operate them which will cause damage to the success of the organization that employees should have undivided loyalty towards their employer. Whistleblowers, who are employees who expose unethical conduct within their organizations, generally disclose wrongdoing at a great personal and professional risk (Dryburgh, 2009).

Despite the protection accorded to whistleblowers through legislation like in the United States of America, they have the Whistle-Blower Protection Act, 1989. The Act guarantees freedom of speech of workers and other individuals and also provides protection for individuals who blow the whistle, protected disclosures Act 2000 in South Africa, potential whistleblowers are generally dissuaded from blowing the whistle because of the fear of retaliation, there is also the fear that obtaining work with another employer within a particular organization could be a challenge. The acceptable forms of recourse in terms of Nigerian organizations would be to implement procedures that allow an employee to institute an action against his or her employer or any other person who feels a whistle blower is a threat. These procedures could be utilized in the event that the whistleblower suffers any negative impacts. Whistle blowing is not a common practice in Nigeria and this is endemic to all organizations. Generally, it is not common for members of staff who witness improper actions of their superiors and consider reporting such incidents.

In Nigeria whistle blowing protection bill 2008 was first sponsored by Senator Ganiyu Olanrewaju Solomon, this same bill was also re-submitted by another parliamentarian, late senator Isiaka Adeleke, in 2016 and it was eventually passed into law. These are some of the items of the bill: * A whistleblower shall be protected with all instrumentality of laws after a disclosure has been made; * the complaint must include the identity of the complainant. The Vigilance Commission shall not disclose the identity of the complainant except to the head of the department if he/she deems it necessary; * the Act penalizes any person who has disclosed the identity of the complainant; *the Act prescribes penalties for knowingly making false complaints; * a whistleblower who honestly and reasonably believes that whistleblower has been subjected to victimisation or learns of a likely subjection to victimisation because a disclosure has been made, may in the first instance make a complaint to the Commission.

Furthermore, employees' behaviour such as whistle blowing can be encouraged when a whistle blowing culture entrenched in legal frame work and relating to justice within the organization is embraced.

4. ORGANISATION ETHICAL VALUE AND WHISTLE BLOWING POLICY

It is no longer news that the Federal Government of Nigeria in a bid to curb corruption, mismanagement of public funds and financial malpractice as well as to encourage compliance with financial regulations, has through the country Federal Ministry of Finance (FMF), introduced a whistle-blowing programme, known as Nigerian Federal Ministry of Finance Whistle-Blowing Programme (NFMF- WBP). The Whistle-Blowing programme is aimed at encouraging individual who has classified information about a violation of financial regulations, misappropriation of public funds and assets and other forms of sharp practices to report it. Whistle blowing is encouraged in organisations where public interest is maintained; individual conscience and criticisms are tolerated; and "principled dissent" is condoned because it promotes basic values like loyalty, integrity and honesty. In this regard, the ability to see the organization as being ethical may be related to the attributes of the organizational culture rather than to the attributes of individual employees.

An organizational culture which shows zero tolerance toward unethical conduct can be influential in shaping the perceptions of employees of the seriousness of the misconduct. Brian (2001) stressed that the practice of whistle-blowing must be communicated by line managers at all levels who are trained continuously in creating an open-door policy regarding employee complaints. The recognition of core values like integrity, loyalty and dignity illustrates to employees that unethical conduct is not tolerated and therefore, encourages whistleblowing. Such organizations can be considered as efficient, effective and rational in exposing unethical conduct. Policies and procedures should lay the foundation for employee conduct that supports what is good for the individual and what is good for the organization. Corporate ethical values enhance People-Organization fit because employees often want to be part of an organization with strong ethical and moral values (Jose & Thibodeaux, 1999). Robbins and Judge (2006) encourage ethics training to implement an ethical organizational culture.

The training should also be given to new employees as part of orientation, as well as to existing employees. This training should be given on a periodic basis to help employees recognise ethical dilemmas and to make them aware of the ethical issues underlying any action they take (Robbins & Judge, 2006). It could also serve as reinforcement of ethical principles. Bhasin (2010) further states that once employees perceive policies and procedures as reflecting democratic cultural values guiding organizational activities, then whistle blowing intent can increase. Hellriegel, Jackson, Slocum, & Staude (2004) identify the practices to encourage whistleblowing and minimize wrongdoing; signal the importance of ethical conduct through the organization's Vision and value statements; have a designated ethics officer; Use integrity test when screening job applications; provide ways for employees to report the questionable actions of peers and superiors, such as providing an ethics hotline; develop enforcement procedures that contain stiff disciplinary and dismissal procedures; treat allegations of wrongdoing seriously and treat both parties fairly; document the organization's ethical rules through a written code of ethics; appoint an ethics committee to implement organization ethics initiatives and supervise the ethics officer; emphasises the importance of ethical conduct in training; conduct an ethical audit and take visible steps to address concerns raise; and constantly communicate the organization's ethical standards and principles. Examples of Whistle Blowing practices in organizations are; Suggestion Boxes; if my Driving is bad, please call this number; SERVICOM; and customer complaint books.

5. IMPLICATION TO THE ORGANISATION

It has become imperative to determine the implications of whistle blowing visa-a-vis the organization ethical values and its implementation in an attempt to curb unethical conducts in the organization. The Association of Certified Fraud Examiners (2012) estimates that the global total fraud cost per year to organizations is \$3.5 trillion. According to the study, whistle blowing 'tips' were the primary method of detection (43%), followed by management review (15%), and then by internal audit (14%). The major sources of whistle blowing tips were employees (51%), followed by customers (22%), and then anonymous sources (12%). This implies that value and relevance of whistle blowing as a tool for fighting fraud in all jurisdictions and in every sector of the economy cannot be overemphasized.

Positive outcomes include:

1. Reduction in wrongdoing, employees in general perceive that the organization appreciates whistle blowing and that act of reporting has a positive effect;

2. It fosters awareness of ethics, provide the skills needed to effectively cope with descent and legal knowledge; This policy or practice will encourage staff and other relevant stakeholders to report perceived unethical or illegal conduct of employees, management, directors and other stakeholders within the organization and to appropriate authorities in a confidential manner without any fear of harassment, intimidation, victimization or reprisal of anyone for raising concern(s) under this policy;
3. It ensures all employees feel supported in speaking up in confidence and reporting matters they suspect may involve improper, unethical or inappropriate conduct within the Group;
4. It encourages all improper, unethical or unwarranted behaviour to be disclosed and nip in bud in various units of the organization;
5. It provides proper documented ways of reporting and handling such cases;
6. It proactively prevents and deters misconduct which could impact the financial performance and damage the Group's reputation;
7. It helps promote and develop a culture of openness, accountability and integrity

Negative outcome

Harassment, victimization or discrimination, ostracism, harassment, punishment, punitive transfers, reprimands and dismissals are possible where there is no protection and good ethical culture/value in the organizations.

6. CONCLUSION

This paper highlighted the importance of ethical practices as it helps to promote whistleblowing in the workplace when seeking to improve occupational well-being. Employees alike can find organizations that promote ethical values easily identifiable, because those organizations have implemented virtues such as clear standards, good resources for working responsibly, mutual trust and support between workers, transparent processes regarding ethical issues, openness in communication, and rewards for ethical behaviour. These virtues in turn motivate an employee to report unethical behaviour in the organization, unethical behaviour is a viral ailment which hinders the socio-political and economic development of the entire global system and organizations must put up different policies in place to reduce or curb this unethical act. The paper thus concludes that employees in organisations with strict adherence to core ethical values are more inclined to whistle blow. It can therefore be argued that the exhibition of whistleblowing policies and procedures as a component of organizational commitment to ethical conduct can make a significant contribution to compliance, enforceability, accountability and responsibility among employees. Premised on the findings of this article, the study recommended that organizations should encourage strict adherence to core ethical values when adopting whistleblowing practice to prevent unjustified claims and unfair treatment.

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Conflicts of interests

The authors declare that there are no conflicts of interests.

Data and materials availability

All data associated with this study are present in the paper.

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